

Forensic Practice

Consultancy and Advising in Forensic Practice

Empirical and Practical Guidelines

Edited by
Carol A. Ireland
and Martin J. Fisher



The
British
Psychological
Society

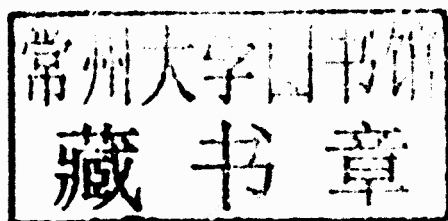
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This edition first published 2010 by the British Psychological Society and John Wiley & Sons Ltd
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BPS Blackwell is an imprint of Blackwell Publishing, which was acquired by John Wiley & Sons in February 2007. Blackwell's publishing program has been merged with Wiley's global Scientific, Technical, and Medical business to form Wiley-Blackwell.

Registered Office

John Wiley & Sons Ltd, The Atrium, Southern Gate, Chichester, West Sussex, PO19 8SQ, UK

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Library of Congress Cataloging-in-Publication Data

Consultancy and advising in forensic practice : empirical and practical guidelines / edited by Carol A. Ireland and Martin J. Fisher.

p. cm.

Includes bibliographical references and index.

ISBN 978-0-470-68917-2 (cloth) – ISBN 978-0-470-74478-9 (pbk.) 1. Forensic psychology–Practice. I. Ireland, Carol A. II. Fisher, Martin J.

RA1148.C66 2010

614'.15068–dc22

2009052151

A catalogue record for this book is available from the British Library.

Set in 9.5/12 pt Photina

by Toppan Best-set Premedia Limited

Printed in Singapore by Fabulous Printers Pte Ltd

The British Psychological Society's free Research Digest e-mail service rounds up the latest research and relates it to your syllabus in a user-friendly way. To subscribe go to www.researchdigest.org.uk or send a blank e-mail to subscribe-rd@lists.bps.org.uk.

Series Editors' Preface



In the preface to a previous volume in this series (Needs & Towl, 2004), reference was made to the British Psychological Society's project during the 1990s on Occupational Standards in Applied Psychology. The purpose of the workshops connected with this was to characterise the nature of the work of applied psychologists across all professional backgrounds. Much discussion centred upon three themes: ethics, problem solving and interactivity. Ethics is pervasive and non-negotiable, the basis of not only standards and consistency but also of the trust upon which professional practice depends. Problem solving forms the bridge between knowledge, expertise and the 'real world'; the ability to formulate an appropriate response to unfamiliar and complex situations is the hallmark of the professional who is fit to practise autonomously. Interactivity goes beyond the obvious in emphasising that psychologists work 'with' people in the deepest sense. Issues such as effective engagement, communication and working relationships come to the fore, along with a very practical need to explore the client's perspective and use this as a reference point.

After distilling these aspects (sometimes it certainly felt as if some form of distillation had been involved), consideration moved to how they are exercised and reflected in the work of applied psychologists. This process was a major influence on the emergence of the standards that were adapted by the Division of Forensic Psychology of the BPS in its system for Stage 2 of eligibility for chartered status. These aspects of orientation and associated roles are exemplified particularly clearly by work as a consultant and advisor in organisational settings.

Such work, in turn, is exemplified by the variety of methods and applications described in this book. Core roles are much in evidence, for example, in chapters on the range of component activities involved in training, on supporting and advising in demanding situations, on the development of procedures to improve standards and the promotion of organisational change. Yet there is also an appropriate sense of continuity between such areas, with the opening, more generic chapters, and with other areas of practice that are sometimes mistakenly regarded as belonging in completely separate compartments. The ability to make such connections is an important resource for any practitioner and can help take the mystery out of many an unfamiliar area. A great deal of activities that psychologists undertake involves a cycle that proceeds from engagement and assessment through formulation, planning, implementation and evaluation. The cycle is as relevant to consultancy in organisations as it is to working with a client in clinical work. In addition, client contact skills in

consultancy bear more than a passing resemblance to counselling skills, and these are not too far removed from important skills that are orchestrated by crisis (hostage) negotiation advisors. Research skills are relevant to carrying out inspections, and training skills can enhance the competence and confidence of any briefings or debriefings that have to be conducted whilst also fostering multidisciplinary working and psychologists' integration within an organisation; and so on. It is the synergy between these areas of competence and contexts of practice that previously gave many practitioners of forensic psychology their distinctive identity.

There have been changes in recent years that some forensic settings have lost or eroded this traditional versatility. At the centre of these has been the domination of a focus on working with the offender directly, such as through group therapies or extensive individual work. This is not to say that this work is not valuable, yet such an overemphasis can lose sight of the versatility of professionals such as psychologists. For example, the increased number of forensic psychologists in settings that encourage this to the exclusion of the psychologists' other roles has tended to restrict the nature of the work available to qualified psychologists and trainees. This has caused considerable challenges and may well have contributed to some problems for forensic trainees in attaining the breadth of experience necessary for qualification. These and other challenges of the recent past have now been recognised in several quarters (partly as a result of some limited consultancy work!) and it is to be hoped that what were strengths of forensic psychology can be nurtured once more. Yet, challenges of this nature are not unique to forensic psychologists, but to a range of professionals working in forensic settings.

This will be timely in more ways than one, since if offending behaviour therapies are to achieve optimal effectiveness, far more attention must be given to issues such as regimes, social climate and the quality of relationships. These are the kinds of areas where, for example, psychologists skilled in consultancy work can make an important contribution. Meanwhile there are psychologists who never gave up the old versatility, and who maintained an involvement in consultancy and related areas. The expertise of some individuals ensured that major elements of the consultancy tradition remained at the forefront of their work. Contributions from such individuals and from some relatively new to the field are to be found in the pages of this book. It is hoped that this addition to the *Forensic Practice* series will provide new impetus to an area that maximises the contribution of psychological expertise to criminal justice.

This book is also timely for another reason. Even in the days when consultancy work in psychology in forensic settings was widespread there was very little published on it. Even the near showcase for the Prison Service, *Applying Psychology to Imprisonment*, edited by Barry McGurk, David Thornton and Mark Williams in 1987, was criticised by at least one reviewer for containing few chapters representing the organisational working that tended in those days to go hand in hand with promotion. Occasionally, short papers on working at the organisational level appeared in collections of papers such as *What do Forensic Psychologists do?*, edited by Graham Towl and Cynthia McDougall in 1999. Prisons and other custodial settings are of course only part of the picture. Amongst the relevant other settings where consultancy work has been exercised, such as health care, courts and social services, there is a long and healthy tradition of (usually academic) psychologists being involved with the police

in advisory work or the development of procedures. An important part of this tradition, given excellent representation in the present volume, is that its proponents published regularly and often collectively. However, it seems that it was not until the book mentioned in the opening sentence (that's the second plug) that a deliberate attempt was made to represent a variety of forms of organisational working across a number of different settings.

The present book not only complements the latter but also takes it further as coverage of fundamental skills and principles is included alongside some vivid and ground-breaking examples. It will offer new horizons for many psychologists and professionals in forensic settings of all shades of experience and qualification. More psychologists benefiting agencies in the criminal justice through engaging in such work will help to define the discipline once more in terms of its true potential.

Adrian Needs and Carol A. Ireland

Notes on Contributors



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Part

I

Consultancy and Advising from a Theoretical Perspective



The Role of a Consultant: Function, Skills, Competences and Presentation



Carol A. Ireland

Consultancy can play a key role in improving the functioning of organisations. Organisations related to criminal or civil justice are no exception, though traditionally consultancy support has been found predominantly within mainstream commercial organisations. This chapter will begin by identifying the role of the consultant for an organisation, applying this to forensic settings and drawing from business consultancy. It will identify the evolution of the consultant from a solver of problems, to building a client's capacity for diagnosing situations independently. This chapter will focus upon the core competences relevant to consultancy (Kakabadse, Louchart & Kakabadse, 2006), as well as the role of the consultant with regard to empowering the organisation and/or client. The key roles of the consultant will be presented. These span the resource role, based on the consultant's knowledge and experience, the process role which assists clients in solving and/or managing their problems or presenting issues through enhanced awareness, as well as that of 'agent of change'. The process consultation model (Schein, 1988) will further be presented, identifying the consultant as both the expert, with the risks and limitations of this, and the alleviator of the distress created by the problem in a forensic setting. The changing role of the consultant during the consideration of the issues will be presented, as well as the relationship between the consultant and the client.

Consultancy Focus

Consultancy can be defined as 'an advisory service contracted for and provided to organisations by specially trained and qualified persons who assist, in an objective and independent manner, the client organisation to identify management problems, analyse such problems, recommend solutions to these problems and help when requested in the implementation of solutions (Greiner & Metzger, 1983, p.245). Consultants can fill a variety of roles depending on the demands of the situation (Chapman, 1998). Consultancy skills are further required when managers within an organisation know they have a problem or issue, but are uncertain as to how to deal with it (Blunsdon, 2002). The role of the consultant is therefore to provide a sense of control, which the client and organisation may feel they have lost due to the uncertainty of the situation (Blunsdon, 2002), assisting them in the relief of any anxieties from this uncertainty. An example of this would be the role of the consultant in a crisis situation, such as a hostage taking or barricade (as discussed in Chapter Six, this volume). Here, the situation can be fraught, stressful and initially chaotic (Hatcher *et al.*, 1998), often a reflection of the perpetrator/s who have instigated the crisis situation. The role of the consultant here is to slow the processes down, along with the thought processes of key staff. The latter include the negotiators dealing with the perpetrator/s and members of the command structure charged with making key decisions with regard to its management. One of the key roles here can be not only to increase rational thinking for all involved, but also to offer the negotiators and command structure a sense of theoretical understanding as to its management, based on the wealth of knowledge a consultant has about crisis situations.

More recently, the emphasis of consulting has changed from the consultant solving the organisation's problems, to the building of the clients' capacity for diagnosing situations on their own and thus managing challenges more effectively. In addition to the requirement to analyse clients' problems and provide sound recommendations, consultants have become increasingly concerned with the demonstration of key skills in facilitating learning and change (Turner, 1988). Indeed, assisting the client and/or organisation to learn is regarded as a key process in the consultancy role. As such, the consultant requires specific skills and knowledge, with a key focus on acquiring and sharing knowledge with others (Kakabadse *et al.*, 2006). As in a crisis situation, a consultant may well encourage those in charge to reflect on the decisions made, both in terms of the short- and long-term impact and the potential reactions of key stakeholders. This would be done both during and after the incident. As such, the consultant would not necessarily look to inform those in charge as to the best course of action, but would encourage a good degree of reflection, maximising rational thought and decreasing any emotional reactions that may have an unhelpful impact on the decision-making process.

Similarly, a consultant requested by a forensic service to assist in the development of its service strategy would need to ensure that a wide range of issues was considered (Sadler, 2001). For example, the consultant should encourage the service to consider the extent to which its strategy was based on facts as opposed to opinions. The consultant should encourage the forensic service to consider the opinions of those staff who would be expected to carry out such strategy initiatives. The consultant would

further invite the service to consider the creative and unique nature of its strategy, as well as, and importantly, how its strategy fits the vision, mission, values and objectives of the wider organisation. The consultant would encourage the service to address how the proposed strategy outcomes could be assessed, and how the culture of the wider organisation may or may not support the strategic plan. Importantly, the consultant would encourage the forensic service to consider the potential views and responses of various key stakeholders, both within and outside of the service, within the wider organisation and those external to the organisation. Finally, the consultant would help to determine the service's ability to undertake strategy analysis, evaluation and implementation independently, with particular emphasis as to how the strategy can be implemented.

The Consultant: Requirements of the Role

The role of the consultant requires a great deal of skill and expertise. In particular, knowledge with regard to the client's area/s of concern is critical. For example, it would be unhelpful for consultants to advise on crisis negotiation and crisis communication strategies if they had no detailed knowledge and credibility in this area. It is further important to acknowledge that a consultant in one area of expertise may not necessarily be helpful in other situations. Kakabadse *et al.* (2006) argue that experience and expertise in a particular area is important. For example, consultants' advice may be considered inappropriate if they are being asked to assist in problems that may have arisen from a forensic rehabilitation service and they have limited knowledge with regard to the use of therapies with such a population. For example, the consultant may encourage the client to consider certain issues, whilst omitting further key areas of thinking due to a lack of knowledge in this area. As such, it is further helpful for the consultant to have knowledge as to how the organisation operates, its key issues and key focus (Kakabadse *et al.*, 2006).

If requested to be involved in a consultancy role within a forensic organisation, it is imperative that the consultant seeks a detailed understanding of how the particular organisation conducts its business. There are dangers in assuming similarities between forensic settings even when they are part of the same wider organisation. Focusing on their specific features has a range of benefits, from gaining a detailed view of the organisation as part of understanding the problem, to increasing the credibility of the consultant (Kakabadse *et al.*, 2006). For example, it would be unhelpful for a consultant to assume that organisations in the criminal justice system have the same strategies and structures in place to manage a crisis situation.

A further key competence of the consultant is the ability to listen and question the situation and problem (Kakabadse *et al.*, 2006). A failure to listen effectively can lead to potentially identifying the presenting issues ineffectively. A particular strength here is the ability to separate factual information from that based on assumption. A useful approach is the 'six-hat thinking system', which is presented at the end of this chapter (De Bono, 1995). For example, a consultant may be required to explore what may be preventing forensic clients from engaging in therapy aimed to address offending issues. An early assumption may be that such clients are simply not motivated to